work with unclear copyright status (in case of collections break these down into individual works works first)

what is it ?

a literary, dramatic or artistic work

who is the author?

at least one known author

has the work been published?

yes

has the work been published within max (life plus 70)?

yes

is at least one of the authors a EEA national or resident?

yes

has the work first been published in EEA?

yes

copyright expires after life of the longest living author plus 70

no

has the work been published?

no

copyright expires after life of the longest living author plus 70

no

25 years from publication

a sound recording, a broadcast, a performance or a film

copyright expires 50 years from max. first lawful (broadcast, fixation, publication, performance, communication to the public)

an anonymous or legal entity

has the work been published?

yes

has the work been published within 70 years of creation?

no

70 years from publication

no

is max (term of protection in country origin) < 70 years?

yes

copyright expires after life of the longest living author plus max (term of protection in country of origin)

an unoriginal database

copyright expires 15 years from last substantial change

no

copyright expires 70 years after creation

yes

is one of the authors citizen of a treaty country?

yes

no

the work is in the public domain

a law or a decree

the work is in the public domain

Copyright term flowchart for the Netherlands (version 0.1)

first draft compiled by the 'Mapping the Public Domain' working group of the COMMUNIA network on the public domain.
more information at **www.communia-project.eu** and **wiki.okfn.org/PublicDomianCalculators**

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